

ORDINANCE NO. G-2015-8 INTRODUCED BY: Al Lindsey
PETITIONER: John F. Rogers

AN ORDINANCE TO VACATE TWO (2) 12' ALLEYS 1) LYING BETWEEN LOTS 21 THRU 24 AND LOT 25 OF BLOCK 103 OF THE CORRECTED PLAT OF PART OF LAMASCO, RECORDED IN PLAT BOOK A, PAGES 156 AND 157 AND RETRANSCRIBED IN PLAT BOOK E, PAGES 34 AND 35 & 2) LYING BETWEEN LOTS 15, 16, 21, 25, AND PART OF LOT 26 IN BLOCK 103 OF THE CORRECTED PLAT OF PART OF LAMASCO, RECORDED IN PLAT BOOK A, PAGES 156 AND 157 AND RETRANSCRIBED IN PLAT BOOK E, PAGES 34 AND 35 AND LOT 5 IN WILLIAM HEILMAN'S SUBDIVISION OF LOTS 17, 18, 19 AND 20 IN BLOCK 103 OF THE CITY OF LAMASCO RECORDED IN PLAT BOOK C, PAGE 312.

WITHIN THE CITY OF EVANSVILLE, INDIANA.

BE IT ORDAINED by the Common Council of the City of Evansville, Indiana, as follows, to-wit:

Section I. That pursuant to MCE Section 12.05.450, a sworn petition, was presented to the Common Council of the City of Evansville, requesting that the platted rights-of-ways described in Section III, below, be vacated by the City of Evansville.

Section II. That after due and proper notice, a timely public hearing was convened by the Common Council, at which time all interested persons were permitted to address the Common Council regarding said vacation.

Section III. That the Common Council of the City of Evansville, after due investigation and consideration, has determined that the nature and extent of the public use and the public interests to be subserved are such as to warrant the vacation of that part of the platted RIGHTS-OF-WAYS described as follows, and further indicated by the words "To Be Vacated" on the drawing hereto attached, which is made a part of this Ordinance:

PARCEL 1:

Part of Block 103 of the Corrected Plat of Part of Lamasco, recorded in Plat Book A, pages 156 and 157 and retranscribed in Plat Book E, pages 34 and 35, in the Recorder's Office of Vanderburgh County, Indiana, and being described as follows:

Beginning at the northeast corner of an alley lying between Lots 21 thru 24 and Lot 25, said point being the northwest corner of said Lot 25; thence along the east line of said alley, South 01 degrees 11 minutes 19 seconds West 100.00 feet to the southwest corner of said Lot 25; thence North 88 degrees 52 minutes 13 seconds West 12.00 feet to the southeast corner of said Lot 21; thence along the west line of said alley, North 01 degrees 11 minutes 19 seconds East 100.01 feet to the

FILED

MAR 09 2015

northeast corner of said Lot 24; thence South 88 degrees 50 minutes 53 seconds East 12.00 feet to the point of beginning containing 0.03 acres (1,200 sq.ft.).

PARCEL 2:

Part of Block 103 of the Corrected Plat of Part of Lamasco, recorded in Plat Book A, pages 156 and 157 and retranscribed in Plat Book E, pages 34 and 35, in the Recorder's Office of Vanderburgh County, Indiana, and being described as follows:

Beginning at the northwest corner of an alley lying between Lots 15, 16, 21, 25, and part of Lot 26 of said Block 103 and Lot 5 of William Heilman's Subdivision of Lots 17, 18, 19 and 20 in Block 103 of the City of Lamasco recorded in Plat Book C, page 312, said point being the southwest corner of said Lot 21; thence along the north line of said alley, South 88 degrees 52 minutes 13 seconds East 149.87 feet to a point on the extended east line of said Lot 15; thence along said east line extended, South 01 degrees 12 minutes 18 seconds West 12.00 feet to the northeast corner of said Lot 15; thence along the south line of said alley, North 88 degrees 52 minutes 13 seconds West 149.87 feet to the Northwest corner of Lot 5 in said William Heilman's Subdivision; thence North 01 degrees 11 minutes 03 seconds East 12.00 feet to the point of beginning containing 0.04 acres (1798 sq.ft.).

(See attached exhibit)

Section IV. That the vacation of said public ways described in Section III. above will be subject to the following easements and reservations:

That the above described right of way to be vacated, based upon the comments from the above operating utilities and entities, will be subject to the following easements and reservations:

- 1) Both described alleys, Parcels 1 and 2, to be vacated will be subject to an easement in favor of Vectren for existing electric poles and overhead electric lines.
- 2) Both described alleys, Parcels 1 and 2, to be vacated will be subject to an easement in favor of AT&T and TWC (Time Warner Cable) for existing facilities.
- 3) That all of the North/South alley being vacated (Parcel 1) and only a portion of the East/West Alley (Parcel 2), said portion being from the east end of Parcel 2 going west to the extended west line of Parcel 1, will be subject to an easement in favor of SIGECOM/WOW.

The easements in favor of Vectren are subject to the following language:

Electric line:

An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more electric lines above or below ground, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be

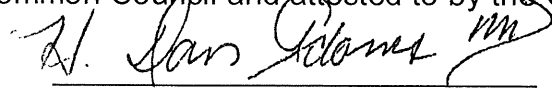
convenient or necessary for the transmission of electric energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees located within said strips of land, and the right to trim or remove, at Company's sole discretion, any and all trees located outside said strip of land that are of such height that in falling directly to the ground they could come in contact with said above ground facilities, and the right to remove brush or other obstructions from said strip of land.

The easements in favor of AT&T, TWC, and SIGECOM/WOW will be subject to the following language:

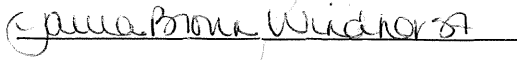
An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more communication lines, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of electric energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted.

Therefore, the Common Council of the City of Evansville, Indiana, does hereby find the above-described PUBLIC RIGHTS-OF-WAY are no longer required for public use, and the public interest will be served by such vacation, and the Common Council of the City of Evansville does hereby vacate the PUBLIC RIGHTS-OF-WAYS described in Section III, above, subject to the terms and conditions as stated in this Ordinance.

PASSED by the Common Council of Evansville, Indiana, on this 27 day of April, 2015,
and on said day signed by the President of said Common Council and attested to by the City Clerk.
ATTEST:

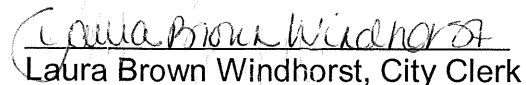


H. Dan Adams, President

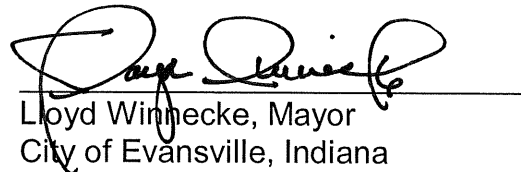


Laura Brown Windhorst, City Clerk

Presented by me, the undersigned, City Clerk of the City of Evansville, Indiana, to the Mayor
of said City, the 28 day of April, 2015.


Laura Brown Windhorst, City Clerk

Having examined the foregoing Ordinance, I do now as Mayor of said City of Evansville,
Indiana, approve said Ordinance, and return; same to the City Clerk this 29th day of
April, 2015 at 11:30 A.m.


Lloyd Winnecke, Mayor
City of Evansville, Indiana

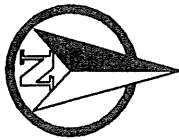
APPROVED AS TO FORM:
Ted Ziemer-Corporate Counsel

This instrument was prepared by Bret A. Sermersheim of Morley and Associates, Inc., 4800 Rosebud
Lane, Newburgh, Indiana 47630

Petitioner's Mailing Address:
John F. Rogers
400 East Sycamore Street
Evansville, IN 47713

"I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social
Security Number in this document, unless required by law." Bret A. Sermersheim

Fulton Avenue



SCALE 1" = 30'

N 1°11'03" E
12.00'

P.O.B. 2

#107

Lot 3

Lot 4

Lot 5

Lot 22

Lot 23

Lot 24

Lot 21

82-06-19-029-055.011-029
Rogers, John F.
400 E. Sycamore Street
Evansville, IN. 47713

Block 103 of the Corrected Plat
of Part of Lamasco
Plat Book A, pages 156 & 157
Retranscribed in Plat Book E, pages 34 & 35

80' RW

40'

William Heilman's Subdivision
of Lots 17, 18, 19 and 20 in
Block 103 of the City of Lamasco
Plat Book C, page 312

82-06-19-029-055.012-029
Rogers, John F.
400 E. Sycamore Street
Evansville, IN. 47713

82-06-19-029-055.010-029
Brazelton, Timothy S. &
Christen Michelle
1126 Illinois Street
Evansville, IN. 47710

12' Alley to
be vacated

N 1°11'19" E 100.01' (C)

S 88°50'53" E
12.00'

Alley Vacation 1

1200 Sq. Ft. or 0.03 Acres

S 1°11'19" W 100.00' (C)

N 88°52'13" W
12.00'

P.O.B. 1

12' Alley to
be vacated

82-06-19-029-055.009-029
Rogers, John F.
400 E. Sycamore St.
Evansville, IN. 47708

Lot 26

S 1°12'18" W
12.00'

82-06-19-029-055.009-029
Johnson, Rosie.
1118 Illinois Street
Evansville, IN. 47710

82-06-19-029-055.00-029
West Illinois Street LLC
1114 Illinois Street
Evansville, IN. 47710

Illinois Street



Bret Alan Sermer
January 14, 2015

Morley and Associates Inc.

Engineering
Surveying
Architecture
Construction Management

4800 Rosebud Lane
Newburgh, IN 47630
(812) 464-9585
www.morleyandassociates.com

Exhibit "B"
Alley Vacation
Block 103
City of Lamasco

Designed By: B.A.S.	Job Number: 9139.4.001-A
Drawn By: J.E.W.	Date: 1/13/2015
Filename: 9139 Alley Vacation-revised	

SWORN PETITION FOR VACATION of following two (2) 12' Alleys 1) lying between Lots 21 thru 24 and Lot 25 of Block 103 of the Corrected Plat of Part of Lamasco, recorded in Plat Book A, pages 156 and 157 and retranscribed in Plat Book E, pages 34 and 35 & 2) lying between Lots 15, 16, 21, 25, and part of Lot 26 in Block 103 of the Corrected Plat of part of Lamasco, recorded in Plat Book A, pages 156 and 157 and Retranscribed in Plat Book E, pages 34 and 35 and Lot 5 in William Heilman's Subdivision of Lots 17, 18, 19 and 20 in Block 103 of the City of Lamasco recorded in Plat Book C, page 312.

Regarding the vacation of the following two (2) 12' Alleys 1) lying between Lots 21 thru 24 and Lot 25 of Block 103 of the Corrected Plat of Part of Lamasco, recorded in Plat Book A, pages 156 and 157 and retranscribed in Plat Book E, pages 34 and 35 & 2) lying between Lots 15, 16, 21, 25, and part of Lot 26 in Block 103 of the Corrected Plat of part of Lamasco, recorded in Plat Book A, pages 156 and 157 and Retranscribed in Plat Book E, pages 34 and 35 and Lot 5 in William Heilman's Subdivision of Lots 17, 18, 19 and 20 in Block 103 of the City of Lamasco recorded in Plat Book C, page 312.

John F. Rogers (the Petitioner), files this Sworn Petition for the vacation of 2 existing 12' Alleys described in 2 separate parcels to the Common Council of the City of Evansville, Indiana, in accordance with the Municipal Code of Evansville, Subchapter 12.05.450 et. seq. (the code), as follows:

1. Name and address of Petitioner: John F. Rogers
400 East Sycamore Street
Evansville, IN 47713

Principal place of business:
Evansville, IN
Phone: (812) 422-5656

2. Circumstances: Petitioner seeks the vacation of the above noted rights of ways because of proposed future development in the areas of the alleys to be vacated.
3. Legal Description of the rights-of-ways proposed to be vacated:

PARCEL 1:

Part of Block 103 of the Corrected Plat of Part of Lamasco, recorded in Plat Book A, pages 156 and 157 and retranscribed in Plat Book E, pages 34 and 35, in the Recorder's Office of Vanderburgh County, Indiana, and being described as follows: Beginning at the northeast corner of an alley lying between Lots 21 thru 24 and Lot 25, said point being the northwest corner of said Lot 25; thence along the east line of said alley, South 01 degrees 11 minutes 19 seconds West 100.00 feet to the southwest corner of said Lot 25; thence North 88 degrees 52 minutes 13 seconds West 12.00 feet to the southeast corner of said Lot 21; thence along the west line of said alley, North 01 degrees 11 minutes 19 seconds East 100.01 feet to the northeast corner of said Lot 24;

thence South 88 degrees 50 minutes 53 seconds East 12.00 feet to the point of beginning containing 0.03 acres (1,200 sq.ft.).

PARCEL 2:

Part of Block 103 of the Corrected Plat of Part of Lamasco, recorded in Plat Book A, pages 156 and 157 and retranscribed in Plat Book E, pages 34 and 35, in the Recorder's Office of Vanderburgh County, Indiana, and being described as follows: Beginning at the northwest corner of an alley lying between Lots 15, 16, 21, 25, and part of Lot 26 of said Block 103 and Lot 5 of William Heilman's Subdivision of Lots 17, 18, 19 and 20 in Block 103 of the City of Lamasco recorded in Plat Book C, page 312, said point being the southwest corner of said Lot 21; thence along the north line of said alley, South 88 degrees 52 minutes 13 seconds East 149.87 feet to a point on the extended east line of said Lot 15; thence along said east line extended, South 01 degrees 12 minutes 18 seconds West 12.00 feet to the northeast corner of said Lot 15; thence along the south line of said alley, North 88 degrees 52 minutes 13 seconds West 149.87 feet to the Northwest corner of Lot 5 in said William Heilman's Subdivision; thence North 01 degrees 11 minutes 03 seconds East 12.00 feet to the point of beginning containing 0.04 acres (1798 sq.ft.).

4. Names, addresses, and zip codes of all owners of land within 200 feet of the right-of-way to be vacated.

See attached Exhibit "A".

5. Location Map and Site Plan
See attached Exhibit "B"

6. Copies of letters from Vectren, AT&T, Time Warner Cable, WOW Communications, Evansville Water and Sewer Utility, the Evansville City Engineer, and the Evansville Fire Department are attached as Exhibits "C" through "I", inclusive.

That the above described right of way to be vacated, based upon the comments from the above operating utilities and entities, will be subject to the following easements and reservations:

- 1) Both described alleys, Parcels 1 and 2, to be vacated will be subject to an easement in favor of Vectren for existing electric poles and overhead electric lines.
- 2) Both described alleys, Parcels 1 and 2, to be vacated will be subject to an easement in favor of AT&T and TWC (Time Warner Cable) for existing facilities.
- 3) That all of the North/South alley being vacated (Parcel 1) and only a portion of the East/West Alley (Parcel 2), said portion being from the east end of Parcel 2

going west to the extended west line of Parcel 1, will be subject to an easement in favor of SIGECOM/WOW.

The easements in favor of Vectren are subject to the following language:

Electric line:

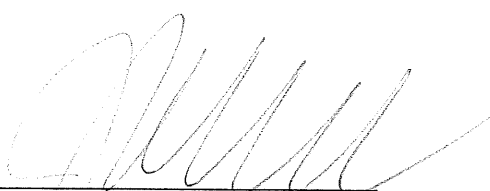
An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more electric lines above or below ground, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of electric energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees located within said strips of land, and the right to trim or remove, at Company's sole discretion, any and all trees located outside said strip of land that are of such height that in falling directly to the ground they could come in contact with said above ground facilities, and the right to remove brush or other obstructions from said strip of land.

The easements in favor of AT&T, TWC, and SIGECOM/WOW will be subject to the following language:

An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more communication lines, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of electric energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted.

IN WITNESS THEREOF, the undersigned has caused this petition to be executed this

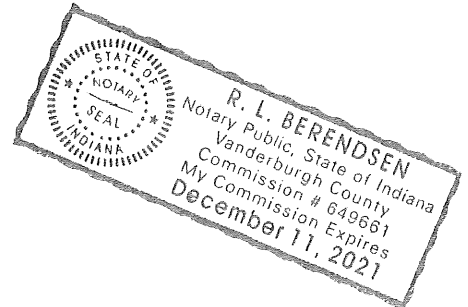
5th day of March, 2015.


John F. Rogers

Printed: John F Rogers

State of Indiana

County of Vanderburgh)
) SS
)



Before me, the undersigned Notary Public in and for said county and state,
personally appeared the above named John F. Rogers, he being first duly sworn by me
upon his oath, says that the facts alleged in the foregoing Affidavit are true.

Signed and sealed this 5th day of March, 2015


Notary Public

RL Berendsen
(printed name)

My commission expires:

12/11/2021
Indiana

The county of my residence
is Vanderburgh County,

Project 9139.4.001A

"Exhibit A"

February 5, 2015

J:9139/surveying 3d/documents/alley
vacation/9139 alley vacate Adjoiners 2-5-
2015.doc

82-06-19-029-061.013-029
RCP Real Estate LLC
1731 N. Green River Road
Evansville, IN 47715

82-06-19-029-055.006-029
West Illinois Street, LLC
1114 Illinois Street
Evansville, IN 47710

82-06-19-029-055.032-029
AWM Investment Group LP
53 Park Ridge Drive
Mount Vernon, IN 47620

82-06-19-029-055.014-029
Felker, Daniel G. Revocable Trust
1420 Kimber Lane
Evansville, IN 47715

82-06-19-029-054.011-029
State of Indiana
100 N Senate Ave
Indianapolis, IN 46204

82-06-19-029-055.022-029
Fortune Tailored Investments, LLC
4311 Johnson Rd.
Boonville, IN 47601

82-06-19-029-055.004-029
Smith, Victoria R.
203 W. Columbia St.
Evansville, IN 47710

82-06-19-029-061.007-029
Pfetttscher, Carolyn rose & David
William
3109 Harmony Way
Evansville, IN 47720

82-06-19-029-061.010-029
82-06-19-029-061.009-029
Laylock, Benjamin
133 Gallagher Drive
Franklin, TN 37064

82-06-19-029-055.018-029
82-06-19-029-055.021-029
82-06-19-029-055-020-029
McCullough, Peter M.
1119 W. Indiana Street
Evansville, IN 47710

82-06-19-029-054.001-029
Fulton LLC
400 East Sycamore Street
Evansville, IN 47713

Westside Improvement Association
Fred Padget
2345 Skyline Dr.
Evansville, IN 47712

S.T.A.R. Neighborhood Association
William Goodsen
1204 N. Second Ave.
Evansville, IN 47712

82-06-19-029-055.002-029
Calhoun, Thomas J. & Melissa L. T/E
1104 W. Illinois St.
Evansville, IN 47710

82-06-19-029-055.005-029
Henze, Scott
1112 W. Illinois St.
Evansville, IN 47710

82-06-16-029-061.006-029
Burnett, Carol S. & Wade, Haley L.
JTRS
1107 W. Illinois St.
Evansville, IN 47710

82-06-19-029-055.007-029
Johnson, Rosie
1118 Illinois Street
Evansville, IN 47710

82-06-19-029-055.029-029
82-06-19-029-055.028-029
Johnson Oil Co. inc.
P.O.Box 347
Columbus, IN 47202

82-06-19-029-064.003-029
82-05-24-029-053.001-029
Old Evansville Brewery Development
400 East Sycamore Street
Evansville, IN 47713

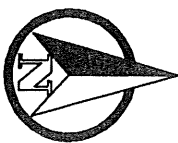
Downtown Neighborhood Association
Paul Black
Alissa Fricke
508 Main Street Unit 4H
Evansville, IN 47708

82-06-19-029-055.023-029
Shutt, Steven F.
1105 W. Indiana St.
Evansville, IN 47710

82-06-19-029-055.003-029
Tri-State Investments
1100 Harrelton Ct.
Evansville, IN 47714

82-06-19-029-061.008-029
Duran, Patricia & Duran, Gerado
1111 W. Illinois St.
Evansville, IN 47710

Fulton Avenue



SCALE 1" = 30'

N 1°11'03" E
12.00'

P.O.B. 2

100' RW

50'

#107

Lot 3

Lot 4

Lot 5

Lot 22

Lot 23

Lot 24

William Heilman's Subdivision
of Lots 17, 18, 19 and 20 in
Block 103 of the City of Lamasco
Plat Book C, page 312

82-06-19-029-055.011-029
Rogers, John F.
400 E. Sycamore Street
Evansville, IN. 47713

Block 103 of the Corrected Plat
of Part of Lamasco
Plat Book A, pages 156 & 157
Retranscribed in Plat Book E, pages 34 & 35

80' RW

40'

82-06-19-029-055.012-029
Rogers, John F.
400 E. Sycamore Street
Evansville, IN. 47713

82-06-19-029-055.010-029
Brazelton, Timothy S. &
Christen Michelle
1126 Illinois Street
Evansville, IN. 47710

12' Alley to
be vacated

N 1°11'19" E 100.01' (C)

S 88°50'53" E
12.00'

Alley Vacation 1

1200 Sq. Ft. or 0.03 Acres

S 1°11'19" W 100.00' (C)

N 88°52'13" W
12.00'

P.O.B. 1

Illinois Street

Lot 15

12' Alley to
be vacated

82-06-19-029-055.009-029
Rogers, John F.
400 E. Sycamore St.
Evansville, IN. 47708

Lot 26

S 1°12'18" W
12.00'

82-06-19-029-055.009-029
Johnson, Rosie.
1118 Illinois Street
Evansville, IN. 47710

Lot 27

82-06-19-029-055.00-029
West Illinois Street LLC
1114 Illinois Street
Evansville, IN. 47710

Lot 28

82-06-19-029-055.016-029
Rogers, John F.
400 E. Sycamore Street
Evansville, IN. 47713

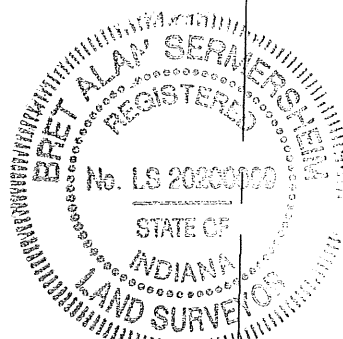
Lot 14

82-06-19-029-055.017-029
Rogers, John F.

Lot 13

82-06-19-029-055.018-029
McCullough, Peter M.
1119 West Indiana Street
Evansville, IN. 47710

Lot 12



Bret Alan Sermer
January 14, 2015

Morley and Associates Inc.

Engineering
Surveying
Architecture
Construction Management

4800 Rosebud Lane
Newburgh, IN 47630
(812) 464-9585
www.morleyandassociates.com

Exhibit "B"

Alley Vacation
Block 103
City of Lamasco

Designed By: B.A.S.	Job Number: 9139.4.001-A
Drawn By: J.E.W.	Date: 1/13/2015
Filename: 9139 Alley Vacation-revised	



Energy Delivery

P.O. Box 209

Evansville, Indiana 47702-0209

January 21, 2015

Mr. Bret A. Sermersheim, P.L.S.
Morley and Associates, Inc.
4800 Rosebud Lane
Newburgh IN 47630

RECEIVED

JAN 23 2015

Morley and Associates, Inc.

Re: 12' alley between 1126 & 1124 Illinois Street west side of Fulton
12' alley at 107 N Fulton Ave running 150' to east line of 1124 W. Illinois St.

Dear Mr. Sermersheim:

Southern Indiana Gas and Electric Company, Inc. doing business as Vectren Energy Delivery of Indiana has researched the above location requested for vacation and there is currently an existing electric pole and wire line within the subject alley running north and south on West Side of Fulton Ave. We also have an existing electric pole and wire line within the subject alley running east and west on East Side of Fulton Ave. Therefore, the vacation request should include the following language to reserve our rights.

Southern Indiana Gas and Electric Company, Inc. d/b/a Vectren Energy Delivery of Indiana, hereinafter referred to as Company reserves the following easement rights:

Electric line:

An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more electric lines above or below ground, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of electric energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees located within said strips of land, and the right to trim or remove, at Company's sole discretion, any and all trees located outside said strip of land that are of such height that in falling directly to the ground they could come in contact with said above ground facilities, and the right to remove brush or other obstructions from said strip of land.

There are no gas facilities in the area of vacation so we have no objection as far as the gas is concerned.

The above rights must be reserved in the ordinance for Southern Indiana Gas and Electric Company/Vectren to approve the said vacation.

Please forward to my attention a copy of the recorded ordinance upon passing, and if you have any questions, please feel free to give us a call.

Sincerely,

Becky Merkley
Right of Way Agent
Vectren Energy Delivery of Indiana
812 491 4544

EXHIBIT "C"



134 NW Sixth Street
Evansville, Indiana 47708

January 26, 2015

Bret Sermersheim
Morley & Associates, Inc.
4800 Rosebud Lane
Newburgh, Indiana 47630

RE: Alley Vacation – SE of Fulton Avenue & Illinois Street

Mr. Sermersheim,

AT&T Indiana has no objection to the vacation of the 100' "Alley Vacation 1" and 150' "Alley Vacation 2" south and east of Fulton Avenue and Illinois Street in Block 103 City of Lamasco, Evansville, Indiana, as described in your exhibit and legal description (attached).

AT&T has facilities within the aforementioned area, and therefore requests all easement rights be retained. Please email or call me at 812/464-6050 if you have questions.

Regards,

Marc Clark
AT&T Design Engineer
mc3429@att.com

Exhibit "D"

1900 N. Fares Ave
Evansville, Indiana 47711
Ph: (812)253-2755
Fax: (812) 909-0293
Cell: (812) 305-8348



January 14, 2015

Morley and Associates Inc.
Bret A. Sermersheim, P.L.S.
201 Main St
PO Box 1026
Mt Vernon, IN 47620

RE: John F. Rogers
12' Alley between 1126 and 1124 Illinois Street and the
12' Alley at 107 N Fulton Avenue running 150' to the east line of 1124 W. Illinois
Street. M&A project # 919.4.001-A

Dear Mr. Sermersheim,

In reference to your request to do a study regarding the above proposed vacation, Time Warner Cable has conducted a study and find we do have facilities along the proposed vacate area.

Therefore, Time Warner Cable does request to retain all easement rights with no restrictions on rights to access for our personnel and equipment 24 hours a day in maintaining the existing cable.

Time Warner Cable does not oppose the vacation of the above mentioned property provided a new public utility easement along the existing lines is dedicated.

If you have any questions or require additional information please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Daryl Hulsey".

Daryl Hulsey
Construction Technician
Time Warner Cable

Exhibit "E"



It's that kind of experience.

January 15, 2015

Morley and Associates Inc,
4800 Rosebud Lane
Newburgh, IN 47630

Attn: Bret Sermersheim

RE: Petition for Vacation – 12' Alley between 1126 and 1124 W. Illinois Street and the 12' Alley at 107 N Fulton Avenue running 150' to the east line of 1124 W. Illinois Street.

Dear Mr. Sermersheim,

The SIGECOM/WOW Outside Plant Engineering department reviewed the said alley ways proposed for vacation that begins on Fulton Avenue running 150 feet to the East line of 1124 W. Illinois Street and alley between 1126 and 1124 W. Illinois Street .in Evansville, Indiana. The findings of this review determined that SIGECOM/WOW has facilities located within the subject right of way.

As a result of these findings, SIGECOM/WOW does not object to the proposed vacation and will need to retain a 12 foot easement between 1126 and 1124 W. Illinois Street and from the east line of 1126 Illinois Street to the east line of 1124 W Illinois Street granted in its favor for the placement and maintenance of telecommunication facilities that lies within this said vacation petition. If utilities are requested to be relocated SIGECOM/WOW will relocate granting a mutually agreed upon easement for relocation and cost reimbursement plan for the SIGECOM/WOW facilities located within the subject right-of-way area.

This letter granted by SIGECOM/WOW for conditional vacation is valid for one hundred and eighty (180) days.

Please contact my office should you have any questions or need any additional information.

Sincerely,

Rick Bowen
Outside Construction Manager
SIGECOM/WOW
812-437-0395
rick_bowen@wideopenwest.com

EXHIBIT "F"



LLOYD WINNECKE
MAYOR

**EVANSVILLE WATER &
SEWER UTILITY**

ALLEN R. MOUNTS
DIRECTOR

1 NW Martin Luther King Blvd. Room 104 • Evansville, Indiana 47708
P O Box 19, Evansville, Indiana 47740-0001
(812) 436-7846 • FAX (812) 436-7863 • TDD (812) 436-7864

RECEIVED

JAN 22 2015

Morley and Associates, Inc.

January 20, 2015

Mr. Bret A. Sermersheim, P.L.S.
Morley and Associates, Inc.
4800 Rosebud Lane
Evansville, IN 47630

Re.: Proposed Vacation – Alley between 1126 and 1124 W. Illinois Street and
Alley at 107 N. Fulton Avenue running 149.87' East to the northeast corner of Lot 15 of the
William Heilman's Subdivision

Mr. Sermersheim,

This letter is in response to your request to vacate alleys or portions of alleys as referenced above. The Evansville Water and Sewer Utility (EWSU) have the following requirements:

The EWSU has no reservation to the vacation of these alleys.

If you have any questions, please call me at 421-2130 x2228.

Sincerely,

A handwritten signature in cursive script, reading "Michael D. Labitzke".

Michael D. Labitzke, PE
Deputy Director of Utilities - Engineering

EXHIBIT "6"



City Engineer's Office

CIVIC CENTER COMPLEX, ROOM 321
1 N.W. MARTIN LUTHER KING, JR BLVD.
EVANSVILLE, INDIANA 47708-1875
Phone: (812) 436-4990 FAX: (812) 436-4976
TDD/Hearing Impaired (812) 436-4934

LLOYD WINNECKE
MAYOR

BRENT A. SCHMITT, P.E.
CITY ENGINEER

January 15, 2015

Mr. Bret A. Sermersheim
Morley and Associates Inc.
4800 Rosebud Lane
Newburgh, Indiana 47630

RECEIVED
JAN 20 2015
Morley and Associates, Inc

Re: Proposed Vacation of 12' Alley between 1126 and 1124 Illinois Street and the
12' Alley at 107 N. Fulton Avenue running 163' to the east line of 1124 W. Illinois Street
M&A project # 9139.4.001-A

Dear Mr. Sermersheim:

In regards to the above referenced subject and your letter dated September 8, 2014 and revisions dated January 13, 2015, the following comments are provided for the alleys proposed to be vacated:

There are no known storm sewers located in the proposed vacated alleys.

The City Engineer's Office does not object to the vacation request. Vacation of these areas would have no effect on future plans of this office.

Thank you and please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Lott".
Jennifer Lott
City Engineer's Office

Cc: File

EXHIBIT "H"



LLOYD WINNECKE
MAYOR

MIKE CONNELLY
FIRE CHIEF

550 S.E. Eighth St. • Evansville, IN 47713-1786
(812) 435-6235 • FAX: (812) 435-6248 • TDD/Hearing Impaired: (812) 436-4925

January 14, 2015

Bret Sermersheim, PLS
Morley and Associates
4800 Rosebud Lane
Newburgh, IN 47630

RE: Petition for Vacation of Right-of-Way – Streets and Alleys listed below;

Mr. Sermersheim;

We recognize & acknowledge request for Vacation Right-of-way of the following 2 Tracts referenced on Exhibit "B" of the Alley Vacation, Block 103, City of Lamasco.

- 1) 12' x 100.01' Alley, running north/south, in 1100 block of W. Illinois St. to an east/west alley that runs east from Fulton Ave to middle of 1100 block of Illinois St (Alley vacation #2);
- 2) 12' x 149.87' Alley, running east/west, from 100 block of N. Fulton Ave to the east edge of Lot #15, City of Lamasco. (1125 W. Indiana St.)

Existing Conditions: Alleys

Effect of Vacation on Fire Department: none

Recommendations: The Evansville Fire Department has no objection in closing of above referenced alleys.

Sincerely,

Dan Grimm
Chief Fire Marshal
Fire Prevention & Education
Evansville Fire Department
550 SE 8th Street
Evansville, IN 47713
812.436.4428



EXHIBIT "I"